

MARRIAGE IN VIETNAM

In general, marriages legally performed and valid abroad are also legally valid in the United States. Inquiries regarding the validity of a marriage abroad should be directed to the attorney general of the state in the United States where the parties to the marriage will live.

Vietnamese Marriage Requirements:

Applications for marriage between a citizen of a foreign country and a Vietnamese citizen residing in Vietnam should be filed in person at the Justice Department offices in the province where the Vietnamese citizen resides. All documents obtained from the U.S. must be accompanied by a certified translation into Vietnamese from either the Vietnamese Embassy in the U.S. or the Vietnamese notary public (97 Pasteur, Ho Chi Minh City). Although requirements for obtaining marriage certificates may vary from province to province, the general requirements for the U.S. citizen partner are as follow:

1. Application for marriage (obtained from the Vietnamese Justice Department);
2. Official copy of the U.S. citizen's birth certificate and passport. If birth records have been destroyed or are otherwise unattainable, a U.S. citizen applicant who was born in Vietnam may execute an "Affidavit of Birth" at the U.S. Consulate to submit in its place. The notarization fee is \$30 USD;
3. Medical examination from a competent authority certifying that the applicant is in sound mental and physical health. The examination results must be dated no earlier than three months before the date of marriage registration;
4. Affidavit of Single Status. The applicant can request this document from the civil registry in the state in which he resides or complete an affidavit at the U.S. Consulate. This document must be signed within three months of application for a marriage certificate. The notarization fee at the U.S. Consulate is \$30 USD. If the applicant had a previous marriage, present an authenticated copy of the divorce decree or death certificate for the previous spouse(s);
5. A letter by the local vital statistics office certifying that no marriage license or marriage certificate of the applicant is found within the state where the applicant is residing in. The search period must be started from the year when the applicant was 18-year-old to present. In case the applicant was divorced, or a previous spouse is deceased, a certified photocopy of death certificate must be submitted. (This requirement may vary from province to province).
6. The Justice Department charges five hundred thousand Vietnamese Dong to process a marriage certificate.

Notes:

- For further information, please refer to the Vietnamese Embassy website:
<http://www.vietnamembassy-usa.org>
- The Vietnamese citizen partner should consult with Vietnamese authorities about that partner's requirements.
- The Justice Department of Ho Chi Minh City is located at 143 Pasteur Street, District 1, Ho Chi Minh City.
- Affidavits of Single Status are notarized at the U.S. Consulate General by appointment only. Please call the American Citizen Services unit of the U.S. Consulate General at 84-8-822-9433, extension: 2159 to request an appointment.

Authenticating U.S. Documents for Vietnamese Authorities

The Consulate General notifies U.S. citizens that the “Chain of Authentication” process described below is the proper way to authenticate U.S. documents for submission to Vietnamese authorities.

1. Notarized Documents: The procedure for authenticating documents executed before a notary public, such as affidavits or acknowledgments, varies from state to state in the United States. It is advisable to contact the state authentication authority to learn what steps are necessary between the notary's seal and the state Secretary of State's seal. In some states, this requires contacting the clerk of the court of the county where the notary is licensed, and obtaining an authentication of the notary's seal. The state Secretary of State's office can then authenticate the seal of the clerk of the county court. After the seal of the state Secretary of State or comparable authority is on the document, it may be authenticated by the U.S. Department of State Authentications Office. The final step is to obtain the seal of the foreign embassy or consulate in the United States.

2. State Documents: State documents such as documents originating with a state court or agency (birth, death, marriage, etc.) must be authenticated by the appropriate office in the state Secretary of State's office. The document may then be authenticated by the U.S. Department of State Authentications Office as explained above. After that, the document may be authenticated by the foreign embassy or consulate in the United States following the instructions below.

3. U.S. Department of State Authentications Office: The office is located at 518 23rd St., N.W., SA-1 Columbia Plaza, Washington, D.C. 20520, tel: (202) 647-5002. There is a fee of \$6.00 for each authentication payable in the form of a check drawn on a U.S. bank or money order made payable to the Department of State. Mastercard and Visa are also accepted. For additional information, call the Federal Information Center: 1-800-688-9889, and choose option 6 after you press 1 for touch tone phones. Walk-in service is available from the Authentications Office from 7:30 a.m. to 11:00 a.m. Monday-Friday, except holidays. Walk-in service is limited to 15 documents per person per day (documents can be multiple pages). Processing time for authentication requests sent by mail takes about 3 working days from receipt. Documents may be

express mailed by Federal Express, UPS, DHL, and Airborne directly to the authentications office. There will be a delay for regular mail service. See the Department of State Home Page, <http://www.state.gov>, for more information.

4. Foreign Embassy: This is the last step in the authentication chain. Usually, foreign embassies or consulates in the U.S. can only authenticate the seal of the U.S. Department of State. Check with the embassy or consulate of the foreign country to see if some of the steps can be avoided. Some foreign embassies and consulates maintain sample seals of state authorities. Remember that what is needed is only the foreign consul's authentication on the document for the document to be "self-proving" in the foreign country.

Vietnamese Government Contacts

Vietnamese Embassy, 1233 20th Street, Suite 400, NW, Washington, DC 20036, telephone 202-861-0694 or 2293, Fax 202-861-1297, Internet home page: <http://www.vietnamembassy-usa.org>

Vietnamese Consulate General, 1700 California Street - 4th Floor, San Francisco, CA 94109, telephone 415-922-1577